

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

LUCIANO MOLINA RIOS,

Petitioner,

V.

STATE OF WASHINGTON,

Respondent.

Case No. 3:22-cv-5245-JHC-TLF

ORDER

This matter comes before the Court on Petitioner’s “Motion to Resubmit Attached
4) Motion to Vacate Void Judgement.” Dkt. # 25. The Court has reviewed the motion, the
case file, and the applicable law. The Court construes the motion as brought under
the Rule of Civil Procedure 60(b)(4). For the reasons below, the Court DENIES the motion.

The motion is procedurally improper. It raises an issue irrelevant to the Report and Recommendation, Dkt. # 21, Petitioner’s objections thereto, Dkt. #22, and Court order adopting the Report and Recommendation and judgment thereon, Dkt. ## 23 and 24. Thus, it raises no basis for a Rule 60(b)(4) challenge to the judgment.

Dated this 31st day of July, 2023.

John H. Chun
John H. Chun
United States District Judge